

# Exhibit 8

**IGOR LITVAK: HOW US TREATS HACKERS. CONTINUATION OF THE SERIES “RUSSIAN HACKERS: THE BEGINNING”**

**King and Spalding LLP**

**June 03, 2022**

**Transcript by TransPerfect**

<https://www.youtube.com/watch?v=9B7ceTxPKBM>

**IGOR LITVAK:** [00:00:00] I was hired by the Russians who were accused in committing cybercrimes in the territory of the US. People know about me, they like my achieved results. They like my job. So that's what I'm doing. We'll fight, we'll try again. We will use means available to ensure Roman's return back home. It's no secret that the Russian Foreign Ministry and the Russian government wanted these three people to go home. The system is a system. I can't change it. And the U.S. law is working pretty much the same way all around the world.

**ADVERTISING:** [00:00:30] These are the PRO People.

**ANDREY LOSHAK:** [00:00:35] How did the Russian hackers or cyber criminals first enter your orbit of your professional advocacy activities?

**IGOR LITVAK:** [00:00:47] Well, I have been majoring in criminal law for quite a long time, for more than 10 years now. In general, I started at the New Jersey's General prosecutor's office where I passed my field practice, and we were engaged in large-scale cases of frauds in the medical industry of this state at that time. Well, I seem to have had notable experience in the criminal law. And then, after I had already become a lawyer and obtained the license, I left the prosecutor's office and I started my professional career. At first, I was employed by a solid criminal law firm in Manhattan, where I was passing my field practice later on. In particular, my job was related to federal, federal courts, and large-scale cases. And I kind of established my reputation in the field, in this area, kind of, in this niche. And people shared info about me, so ... the Russians who have been criminally involved in cybercrime in America started using my professional services. My first case was a high-profile one, if I am not mistaken. Mr. Smilianets , if I am not mistaken, was one of the notorious big Russian hackers. It was a long time ago. I think it was Smilianets. After I established my reputation in this field, I was hired by other people, not only from Russia, but from all over the CIS states such as Ukraine, Belarus, from everywhere. And for five or six years now, I have been driving across America, representing their interests in these criminal cases, in large-scale federal cases. They were not only related to cybercrime, but also to drugs, money laundering, various financial frauds. Because that's my job, and I really like it. And people know about me, they like the results I achieve, they like my work. And that's why I'm doing this job.

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**SHOW PRESENTER:** [00:03:03] I think all of you heard about the God's Voice bot in Telegram. I have a separate full issue dedicated to it. You can watch it via the link. It can fetch, within a matter of seconds, any info available in public internet sources about your perpetrator, debtor or just a girl you might fancy. The search is conducted by phone number, email, full name or vehicle license plate number. Through the questionnaires posted on Instagram, VKontakte or other social media and messengers. You can quickly find the person you are looking for by his/her photo, or retrieve the necessary data using his/her IP address or BTC wallet number. The Telegram bot operates in the most countries across the globe, however, the fullest information can be retrieved about citizens of Russia, Ukraine, Belarus and Kazakhstan. There is, however, a problem. The God's Voice is frequently removed from the Telegram, so a working link is provided in the description below the video. Moreover, you can also request that your information should be removed from the bot, and this request will be promptly satisfied. Please use the link in the description.

**ANDREY LOSHAK:** [00:04:00] Are there a lot of cybercriminals now? Do you feel that their number is growing? Any info about the number of criminal cases initiated in the US?

**IGOR LITVAK:** [00:04:11] You know, I think it has changed a little. In my view... What I see is that the world of cybercrime itself is now somewhat different. Because at the beginning of zeroes, at the beginning of the 10th there were, like, big players, the people, like, big whales, who, according to the Americans, caused the most significant losses. These people, according to the American experts, have been mostly arrestee arrested or left the market, so they are no longer engaged in cybercrimes. So now, like, there are a lot of medium and small-sized guys remain in the business. That's why it's slightly different picture than before. You should understand that to initiate an extradition or a federal case is a very costly thing for the United States. It requires a lot of energy and working. Sometimes you have to be waiting for years until the criminal leaves his/her country of citizenship in order to get arrested. So, everything seem to have changed. Now, I think there are a lot more people doing this things now, but they are not as big as they used to be. That is, it seems to have changed. And I think it is harder for the FBI or secret service to catch them now. I am going to answer your question: yes, they are greater in number now, but the scales of their crimes are notably smaller than they were in zeroes or 10s. They are “smaller” fish.

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**ANDREY LOSHAK:** [00:05:51] Well, they don't cause a 300M damage anymore, do they?

**IGOR LITVAK:** [00:05:55] 300 million or 200 million... There are probably certain criminals capable to cause such damage to the US now. However, they do not gather in web forums, such big whales. There aren't so numerous as they used to be.

**ANDREY LOSHAK:** [00:06:16] And after Smilianets, you say, you gained many new clients because you ensured his legal defense very successfully, right?

**IGOR LITVAK:** [00:06:23] I believe his legal protection was successful. Yes.

**ANDREY LOSHAK:** [00:06:26] Why?

**IGOR LITVAK:** [00:06:27] Well, because we... He was sentenced for a good term. He got only 5 years in jail, given that he might have gotten a lifetime sentence when he was arrested.

**ANDREY LOSHAK:** [00:06:38] It's not a joke. Was it supposed to be that huge?

**IGOR LITVAK:** [00:06:40] It's not a joke. He was going to receive a lifetime sentence, no jokes. And our achieved result is a very good result, given what might have been otherwise.

**ANDREY LOSHAK:** [00:06:51] How could you achieve such results given the grave accusations against him?

**IGOR LITVAK:** [00:06:56] I can't go into the details, it would be a breach of legal secrecy. So I can't comment, sorry.

**ANDREY LOSHAK:** [00:07:06] Well, tell me a little more about the tactics of cooperation with the investigation. Well, I am asking just out of curiosity. Here, Dima was sentenced to slightly over 4 or about 5 years in jail.

**IGOR LITVAK:** [00:07:18] About five.

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**ANDREY LOSHAK:** [00:07:19] Did he? While his accomplice Drinkman was sentenced to 12 years. How could that happen?

**IGOR LITVAK:** [00:07:25] You see, Smilianets, Dmitry Smilianets and Vladimir Drinkman are both my customers. I'm represent the interests of them both. I, therefore, can't say why one got longer term while the other got shorter. This would be a breach of my obligations towards them. But I could simply tell you about cooperation, without saying any particular names, if you wish. We can talk about it, how it works. But I don't think I could discuss any particular person or describe what he/she did or did not.

**ANDREY LOSHAK:** [00:08:01] Okay. Seleznev is also your customer. We can also discuss why he got such a long term.

**IGOR LITVAK:** [00:08:07] Well, we can discuss Seleznev because it is in the public domain. There was a jury trial, there was a verdict that was public. There were a lot of journalists present during the case proceedings, so I can discuss it. And speaking of Roman, he was arrested in the Maldives, and was extra... Not that he was extradited, he was, say, kidnapped. In my opinion, that was the case. He was kidnapped from the Maldives. Because there was not an extradition, there was no agreement, nothing of the kind.

**ANDREY LOSHAK:** [00:08:42] But they should have settled this issue with the American authorities anyway, right?

**IGOR LITVAK:** [00:08:46] There is a situation where we filed... We noted this point during the appeal. That the man was actually kidnapped, and all staff. And the US officers said that they had agreed with a local police officer who was aware that the secret service was going to arrest Roman. They got him on board of a plane and moved him out of the country. The state ... the Maldives' government was not informed about the operation. According to our information, there was only a local policeman who knew about it, and that's all. So he was arrested there, and brought to the US, and in the US he had to struggle for three years. And he's been struggling for three years, and then he went to the jury trial. Which is kinds a rare case in cybercrimes. In cybercrime, people usually either have to accept their guilt without cooperation, or agree to

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cooperate. There are cases when people go to jury trial, but they are quite rare. The US Law works so that if a person decides to go to jury trial and if he loses his/her case, he/she gets the longest term possible. And that's what actually happened. There was... Roman lost his case. He had a very famous US lawyer, Dan Brown, who once defended this Manning from Wikileaks, you know, maybe you heard this story. But they lost a jury trial, on every point. And after he lost this jury trial, Roman hired me, so I've been his lawyer since then.

**ANDREY LOSHAK:** [00:10:39] Why did he go to jury trial? Why did he refuse to strike a deal?

**IGOR LITVAK:** [00:10:45] I... I was not his lawyer at that time, so I cannot say why.

**ANDREY LOSHAK:** [00:10:49] Well, he probably explained his position to you?

**IGOR LITVAK:** [00:10:53] I don't know why he went to jury trial. Maybe they thought they would win, I don't know. You know, I wasn't there. It is hard to say now.

**ANDREY LOSHAK:** [00:11:01] But people usually go to these things. Why? Why? That is, they clearly say, they tell you. I understand, yes. They tell you, well, let's collaborate. You should tell us the things we don't know.

**IGOR LITVAK:** [00:11:11] Not everyone collaborates, not at all. You shouldn't think that everyone collaborates. That's not true. Firstly, we need to understand collaboration. There are various types of collaboration. Some people believe that they might accept their guilt and go to court and say: I am guilty. Strike the deal this way without collaboration. But some people see it as collaboration, too. It's not a collaboration, it's just appearing to the court. Let's say, you have a charging paper containing 10 articles. The person doesn't want to defend oneself, the person doesn't want to go to jury trial. You might try to agree on one or two articles of accusation. Just take the blame, see what database is available for the prosecutor's office database for your client, something like that. Go to negotiations. It's a lengthy job, too. But the matter is that you can strike a deal without cooperation, because cooperation in principle, like, well, what US officers really want, cooperation means cooperation. So what does that mean? To initiate new criminal cases, make arrests, give people away, be present in web forums with an agent sitting beside you,

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let's say, and to communicate with other people whom the U.S. authorities want to arrest. This is, like, in the traditional sense, it means collaboration, but it varies in kind.

**ANDREY LOSHAK:** [00:12:33] Can you collaborate and not frame people?

**IGOR LITVAK:** [00:12:34] Can you collaborate and not frame people? Absolutely. You can, absolutely. Collaboration – it can be very different, very different. That's why the options are too wide. There are many options, too. But you don't have to frame people. It is not necessary.

**ANDREY LOSHAK:** [00:12:53] Then it's not quite clear why? What logic did Roman have? Let's say, he didn't use any of these many options.

**IGOR LITVAK:** [00:13:01] You will need to ask Roman – why did they do the way they did. Again, I was not his lawyer at that time and, therefore, it is difficult for me to judge. I can say that when he lost his case at the jury trial, he immediately fired his US lawyer and hired me. And we went... He and I went to the court verdict. And when we were present at the verdict, the judge said a lot of things there. There is public information that after Roman lost his case by the jury trial, and, by the way, we immediately discussed it after the sentence. There was a big press release. There was some information that, when he lost his case at the jury trial, he tried to do something there. I can't get into the details on what exactly we tried to do. The only thing I can say is what the prosecutor and the judge himself stated in the verdict. This public information was duly recorded. You can find it easily. And the judge, well, and the prosecutor, then the judge said that the co-op that Roman tried to do was, firstly, unsuccessful. There was nothing meaningful in it. It was too late. Moreover, he... What he tried to do was three years after his defense actions. The things we tried to do after we lost... he lost the jury trial. According to the judge and the prosecutor's office, it was too late. And that was not the type of collaboration they would actually like to see. That is, it could be hardly called a cooperation at all.

**ANDREY LOSHAK:** [00:14:47] What are his perspectives? Do you think that Roman has any prospects to leave prison any sooner than in 28, 27 years?

**IGOR LITVAK:** [00:14:57] Well, you see, there are always options. By the way, we served a petition for Roman because he was imprisoned in North Carolina. For Roman, we filed a petition

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with the Federal Court specifically for... With a request to be released temporarily at the hotel or sent home because of the COVID. Because Roman is a very ill person, he was, he was injured in Morocco during a terrorist attack there.. He is in a poor health condition actually. And we hoped that, given the coronavirus and everything else, he should be released home. So, a couple of weeks ago...

**ANDREY LOSHAK: [00:15:39]** Home - you mean somewhere in America?

**IGOR LITVAK: [00:15:41]** Well, we asked... No, we gave, we asked for two things: we asked him to either be temporarily released to a hotel in America. Or the second option is that he simply be allowed to go home. Unfortunately, we received a decision a couple of weeks ago - a denial. So we're going to fight, we're going to try again. We will use all means available to ensure Roman's return back home. And I know that I'll do everything that depends on me. And we also hope that his home country Russia, the Russian Federation, can somehow help.

**ANDREY LOSHAK: [00:16:19]** But I heard, heard the version that either Roman was counting on... or representatives of the Ministry of Foreign Affairs really tried to intervene in his case. And it all seemed to end up with nothing or end badly.

**IGOR LITVAK: [00:16:34]** Well, look, there are three people in America who... I think it is no secret. Well, in my opinion, I think it's not a secret either. There are three people the Russian government wanted to return home. There are Victor But, Konstantin Yaroshenko, and Roman Seleznov. I do not know if this will happen, but we hope that sooner or later, he will return home somehow. I think it will be before the end of his sentence. At least I hope so because I don't think he'll simply survive. I think that with the health he has, it seems to me that he will not survive 20 years in prison.

**ANDREY LOSHAK: [00:17:20]** And what can be said about his conditions now?

**IGOR LITVAK: [00:17:23]** Well, the conditions are prison. Well, this is a prison. There's no medical care there. Even though he's in a prison that has a hospital, it's still not the same. And he has a metal plate in his head that moves sometimes. It needs to be cared for. A U.S. prison cannot provide the kind of medical services he needs. And even though he is somehow treated

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there, it is still not the same. In my opinion, this is not enough. For him to live a normal life. And it seems to me that he will not survive 20 years.

**ANDREY LOSHAK:** [00:18:03] And how do you understand that Russia fights for Roman the same as for, for example, But or Yaroshenko?

**IGOR LITVAK:** [00:18:13] Well...

**ANDREY LOSHAK:** [00:18:14] Here, you have said these three names, for some reason.

**IGOR LITVAK:** [00:18:16] I will not say why I've said them; these three names exist, and a lot has been written about them. Again it's no secret that the Russian Foreign Ministry and the Russian government wanted these three people to go home.

**ANDREY LOSHAK:** [00:18:34] There were relevant statements, right?

**IGOR LITVAK:** [00:18:38] It was raised, it was discussed. By the way, I don't know if it's true or not. Americans, Americans... I don't know. Perhaps you heard? Several Americans have been arrested in Russia over the past few years. There is Paul Wilan, who was taken for espionage. A couple of other Americans are also in prison in Russia now. Americans, intelligence agencies, the government, they think... I'm not saying whether this is true or not, but they think, in their opinion, these people were arrested for only one reason - to exchange them for some people who are in prison in America. Again, Russia did not tell me this. It's just what I've heard from Americans. Well, Americans think that. So let's see what will happen.

**ANDREY LOSHAK:** [00:19:31] But tell us about ... some of your other well-known clients. Can you list other well-known hackers?

**IGOR LITVAK:** [00:19:38] I don't like telling names... Because my clients will be offended. That's all...

**ANDREY LOSHAK:** [00:19:44] Well, the most famous ones. Well, like Drinkman.

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**IGOR LITVAK:** [00:19:49] Well, Gehry Shalon, let's say, was very famous. Levashov, Petya Levashov, Kirill Firsov. There are a lot of them. Basically, there are famous names that... For people interested in who I represent, you can easily find it on the internet.

**ANDREY LOSHAK:** [00:20:05] Are you an expensive lawyer? Here is a person in such a situation, a hacker. Arrested somewhere in the Maldives. How much does he need to be able to hire you?

**IGOR LITVAK:** [00:20:20] It all depends on what we do. And it also depends on whether we are going to a jury trial or not? Does he take the deal with cooperation or without one? There are many options. Plus, if a person decides to go to a jury trial, it depends if this jury trial will go on for three days or if it will go on for three weeks. Are there two or five witnesses? It all depends. In fact, these cases start at \$50,000, and go up to \$1,000,000.

**ANDREY LOSHAK:** [00:20:53] What does it depend on?

**IGOR LITVAK:** [00:20:55] How much work? What does a person face? Does he face five years or 60 years? What is the base of evidence against him that a lawyer should look through? Then the person tells me, Igor, we go to the jury trial. Okay, we go to the jury trial. This is another situation. Or he says to me, “Igor, I've just accepted a deal without cooperation, I just made not the best deal, which I might not be cooperating with. I'll go to jail, then I'll go home.” This is another story. So it all depends, it all depends. But basically, the simplest, smallest federal cases again start at \$50,000 and can reach as much as \$1,000,000.

**ANDREY LOSHAK:** [00:21:37] How do you feel about the praxis of the United States to arrest Russian hackers, first of all, or Russian speakers, on the territory of other states?

**IGOR LITVAK:** [00:21:49] Well, what can I say? This is a very difficult question. There is no simple answer to it. In general, of course, when my compatriots are arrested, on the one hand, I am not very happy about it. But there is a system. I can't change it. And the U.S. law works like that around the world. So it won't stop, they'll continue to be arrested. So I can't say if I feel good or bad about it, but it is the way it is.

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**ANDREY LOSHAK:** [00:22:31] But how do you assess what happened to your client Seleznev?

**IGOR LITVAK:** [00:22:34] That's awful, awful! It's not just about him. This is not my only case. What happened to Roman is, of course, very terrible. It's not fair. The man was simply kidnapped without trial, put on a plane, and taken away. It's like a Wild West, you know? And I had other cases. I recently told, gave another interview. I had a client Evgeny Bykov. Also famous, very high-profile case.

**ANDREY LOSHAK:** [00:23:04] Also a hacker?

**IGOR LITVAK:** [00:23:05] No, he was accused of making fentanyl. It was such a drug, a very strong one. And what he was laundering, laundering, laundering money. He was arrested in the Baltic States, and he spent eight months in prison there in isolation. He was then brought to America. And here he was in prison for about a year and a half. And the most interesting thing is that when he was brought here, he was facing 40 years. The minimum sentence was 10 years for the charges he was presented with. He was facing 40. When I went to the prosecutor's office and met them, I got their entire database. And I met with the chief prosecutor there. There was one woman, a girl, and she told me something interesting at the time. She told me, “Igor, here I give you the database; you understand that your client is guilty. If he comes to the jury trial, we'll prove him guilty in five minutes. So don't even try, don't rock the boat.. No chance.” I'm like, oh, ok. But the worst thing is that when I got this database, checked it, and looked at it, the wiretap and everything else - there was nothing on him. Zero. That is, again, in my opinion, the innocent person was arrested. He was in prison in Estonia for eight months, then he was here for one and a half years. Only when I looked at the database, returned to the prosecutor's office, and told them, “Guys, there's nothing on my client here, and we go to jury trial.” I told them we would go to a jury trial. Only then did they tell me: Ok, ok, Igor, ok, we went too far here. He was facing 40 years! 40 years old. Think about it. In the end, when I told them that there was nothing there, they dropped the charges, and he went home in January. That is, the innocent person was trapped and tortured for more than two years, you know? I'm not saying they did it on purpose, the prosecutor's office. There was something there, maybe bureaucracy. There was a mistake, something there, something happened there. But there are situations like this, situations like this. And so, when I see this, of course, I don't like it. I will tell you another case. It was a

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very famous case. With Fauzy Jabbar. Don't know if you've ever heard of this person? He has nothing to do with Russia. But it was also a famous case. About five years ago, a man in Prague was arrested for extraditing to the United States. But the most interesting thing is why he was arrested? According to the prosecutor's office, he was arrested because he tried to organize the sale of Russian earth-air missiles Strela. He tried to arrange for them to be sold to the FARC. There is such a terrorist organization in Colombia. Ok. The question is. And what about America? And what about America? A person in one country tries to send weapons to a third country, not through America, you know? Just directly. And what about America? When I spoke with agents and prosecutors, I tried to explain when this case was going on. I tell them Well, guys, imagine this situation: Boeing sells weapons to Israel, for example. Suppose the Duma enacts the law tomorrow that no one in Israel can sell weapons. And if the CEO of Boeing goes, for example, to Spain, on vacation, or to the Maldives, or some country that has an extradition treaty with Russia. So now, can this CEO, this Boeing president, be extradited to Russia? I don't understand. He sold weapons to Israel. What does it have to do with...? I mean, it's an example, you know? And for me, it was a very interesting case, because... Why? Because it shows how much, like, the jurisdiction of U.S. law has grown. America has an extradition treaty with 107 countries. Think about it! 107 countries around the world. And therefore, if a person has a criminal case in America, this, of course, is a big problem for him. And that shows that...

**ANDREY LOSHAK:** [00:27:50] Most of the country is closed to him.

**IGOR LITVAK:** [00:27:52] Most of the world is closed to him. And the worst thing is that you don't even have to do anything bad to America. You could just send a missile to Colombia, for example. And suddenly, for no apparent reason, you have a criminal case in the States, where you face a life sentence. I think it's unfair.

**ANDREY LOSHAK:** [00:28:12] What mistakes do hackers usually make that turn them into your clients?

**IGOR LITVAK:** [00:28:20] Many mistakes. I think the biggest mistake is having a work laptop that is also your personal laptop. There must be two. If a person has already decided to do hacking and cybercrime, their work and personal laptops must not intertwine. They can never,

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like, intersect. Plus, I don't know why, but a lot of the time guys who leave take these laptops with them. I don't know why.

**ANDREY LOSHAK:** [00:28:52] I think they want to work further.

**IGOR LITVAK:** [00:28:54] Guys, always leave a work laptop at home if you leave. And, well, I think one of the most important reasons... All in all, in the world, [bilingual text] “cybercrime”, cybercrime, the idea of forums where they gather and where they communicate. Like, at first, it was pivotal to these people. And I think it's necessary... if people want to stay in this field of work, they need to leave it. And I'm not just the first to talk about it. I've heard other people talking about this... forums are such a thing that gives a lot of loopholes. And so... Plus, people relax, people log into the forums, and five to ten years pass, they relax, and they talk to hundreds of people. What if one of them could be a secret service agent or some kind of co-operator? So I think these are the very reasons. People relax, people don't think about security, use their laptops and computers for this. And over time, American intelligence services built a portrait on them. And when they leave, they get arrested.

**ANDREY LOSHAK:** [00:30:19] But do you read the case files? How do they “de-anonymize” them? So how do they track them?

**IGOR LITVAK:** [00:30:26] That's all... There is no one way to do this. Every criminal case is a unique case. So I will even tell you that sometimes, when you receive a file, it's classified there. Just like Roman's. How did the secret service know that Roman was in the Maldives? To this day, no one knows about it. There are some rumors, but this was not in the case. So sometimes if the prosecutor's office... This is not always, well, possible, especially if we go to a jury trial. There are certain rules, we have to get the whole basis. But sometimes, if the prosecutor's office succeeds, they may not even tell you how your client was found.

**ANDREY LOSHAK:** [00:31:12] That is, this is what America considers the whole world a zone of its interests, right?

**IGOR LITVAK:** [00:31:18] Yes, absolutely.

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**ANDREY LOSHAK:** [00:31:19] This is what destroys our hackers who...

**IGOR LITVAK:** [00:31:24] Absolutely, absolutely.

**ANDREY LOSHAK:** [00:31:25] They think there is no extradition agreement here, that is...

**IGOR LITVAK:** [00:31:29] Oh no, no, forget, forget, forget. The fact that there is no extradition agreement does not mean anything. First, extradition is only one way, and you can bring a person to the States. There are private contracts, transactions. There, the special services and some country agreed to give them, send him, put on the plane. So don't fall into this, like, opinion that if there is no extradition, then everything is fine. That's absolutely not the case.

**ANDREY LOSHAK:** [00:32:01] But now there is... Well, this is not a question for you. Rather, this is a comment. A generation, like these hackers, is coming, like, guys from Google Corp who are not leaving Russia.

**IGOR LITVAK:** [00:32:12] Yes, yes, yes, yes, yes, there are such. They go on vacation to Sochi.

**ANDREY LOSHAK:** [00:32:18] And they live there.

**IGOR LITVAK:** [00:32:18] They live there, they love it. Well, that's their decision. Their solution.

**ANDREY LOSHAK:** [00:32:23] Otherwise, nothing good will likely await them. Have you worked closely with Kaznacheev?

**IGOR LITVAK:** [00:32:32] Who was arrested in Germany?

**ANDREY LOSHAK:** [00:32:34] Yes, in Berlin. DJ.

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**IGOR LITVAK:** [00:32:34] Yes, DJ. I didn't work with him, I'm not his lawyer, but I heard about him. And I... The only thing I know is that he...has been released on bail and is now waiting for extradition to the US.

**ANDREY LOSHAK:** [00:32:49] I just heard that the person is generally innocent.

**IGOR LITVAK:** [00:32:52] Yes.

**ANDREY LOSHAK:** [00:32:53] Is there anything you can tell about these projects? Well, that is, as Bukh explained to us, what exists when this cooperation, like, is offered to people, like, to do some project in cooperation with the authorities, with us, with U.S. law enforcement authorities.

**IGOR LITVAK:** [00:33:17] See. They will not bring the project to the defendant themselves because they do not know if they will cooperate. Suddenly he will say no, and then he will go to his friends to tell about this project? So if a person wants to cooperate, the defendant should bring the project to them, not the other way around. And that's why projects are different. Again, what is cooperation, cooperation? The point of cooperation is to get a good discount on the sentence. But in order to get it, it is necessary to do certain things for them. There it is necessary to get such a document, which is called 5K1. In order to receive this document, you need to do something for them called substantital assistace [sic: substantial assistance]. That is, substantial assistance. What is substantial assistance? They decide, not you. That is, a person can cooperate for three years, well, in theory, and then go to the verdict. And they'll say, well, you know, sorry, that wasn't substantial assistance. Because they decide, not the defendant. And there are certain things the prosecutor's office looks at. And if these things were done, they are almost guaranteed to consider it a substantial assistance. What is it? It is to do indictments against other people. What is indictment? This is, like, an accusatory document, which lists the articles, voted for by Grand Jury. And then, based on this document, an arrest warrant is made, then extradition. In order for this indictment... to be voted for, the prosecutor's office must present some information to this Grand Jury. This is the information it takes from the cooperator. He is cooperating, maybe, for a year, two, three, they have gathered some information. Then the prosecutor goes to Grand Jury with the defendant, he gives, he gives some testimony there, then indictment is made. This is one way. Another way is when an arrest is made for the sake of a person, for the sake of

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his information. This is a very big thing - arrest. They are just arrests for them, just a high for the prosecutor's office, they give a big discount for this. Another thing they love very much. This is when you connect a “nick” to a real name. Because I've said it somewhere before too. The secret service of the FBI has a lot of nicks, a lot of nicks, but they don't know. Just a nick. Where is he? What is he, which country is he in? What kind of person? They don't have that information.

**ANDREY LOSHAK:** [00:35:55] We say “de-anonymize.”

**IGOR LITVAK:** [00:35:56] Yes. And for them to connect the nick with the real name, for the prosecutor's office, for the secret service, it is also very, like, a big thing. And so they look at things like that. But again, you can get 5K1. It is the document on which ...the basis of which the discount is given. But not just on the basis of that. You can do other things for them. You can bring your laptop, not turn anyone in. Just brought a laptop, gave them a laptop. They found it there.

**ANDREY LOSHAK:** [00:36:30] Said the password.

**IGOR LITVAK:** [00:36:31] Said the password. They dug in there. They found everything they needed. Cooperation too. So it's very different, you know? There is no one rule. Every criminal case is unique. It's really unique. That's why the approach to every case is also unique.

**ANDREY LOSHAK:** [00:36:49] Why do some of your clients refuse to cooperate? So what are their motives?

**IGOR LITVAK:** [00:36:56] I can't say that. Everyone... Everyone has their own reason. So some people may be innocent. Others maybe they just don't want to, they don't want to turn their people in. So there are so many reasons here.

**ANDREY LOSHAK:** [00:37:17] That is, there is such a topic – not to turn your people in?

**IGOR LITVAK:** [00:37:22] Well, of course, I think, not only in cyber, or, I think, in any field, sort of, not very willing to turn their people in.

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**ANDREY LOSHAK:** [00:37:29] Are there people who are not ready to do it even under penalty of punishment?

**IGOR LITVAK:** [00:37:33] Yes, yes, yes, people. There are people who take risks and go to jury trial. Take a risk. Wins – goes home, loses – will serve time. Although in America it is sometimes possible to cooperate after the verdict. This is called Rule 35. So sometimes people, like, say you know what? Let's take a risk, go to jury trial. If we lose it, if everything runs out poorly, then we can try to cooperate after the jury trial. So again, there is no one answer. I think everyone has their own reasons that I find difficult, like, like, like, impossible.

**ANDREY LOSHAK:** [00:38:15] And why do you think some people follow this rule – we don't turn our people in?

**IGOR LITVAK:** [00:38:21] These are their personal reasons. No one talks to me about it.

**ANDREY LOSHAK:** [00:38:25] Well, your personal point of view?

**IGOR LITVAK:** [00:38:28] I don't know. I don't know. It's hard to say. I don't think there's one rule for everyone. I think for each person this is a personal decision that is based on so many different factors that I would like to try, somehow to identify them - it is impossible.

**ANDREY LOSHAK:** [00:38:46] There is in Russian culture such a tradition, and I think there is no such thing in many Western ones, to snitch, cooperate with the police, with the police, with the police...

**IGOR LITVAK:** [00:39:00] I think it's a myth. I think it's a myth. It seems to me that when a person is arrested, and he understands that I am facing 25 years, all this culture flies out the window, and he begins to think about himself. Again, cooperation is not the only way to drop a criminal case. Again, this is not the only way. There are other ways to drop it, even if the person is guilty. So you don't need to... So I always tell people when I have this opportunity: if you are arrested. If. You don't have to talk to the police right away. You don't have to start cooperating right away. Wait, calm down, you have a lot of time. Call the lawyer who deals with these matters. Talk to him, explain what you did to him. Together, you will develop a strategy for how

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to handle this. And so I think it's a myth. The thing you said there is such a culture. I know, I heard about it, they talk about it. But in reality, I don't think it works very well.

**ANDREY LOSHAK:** [00:40:15] Well, just somebody isn't somebody, you say yourself, doesn't want to betray, or are there any other reasons?

**IGOR LITVAK:** [00:40:20] You know, when the customer says, I don't want to betray, he doesn't tell me why he doesn't want to betray. He just tells me: I'm going to fight, and that's it. We fight. This is not what the client says to me: I am guilty, but you protect me anyway. The client usually says: I am innocent, that's all. We look at the database, see what we do there, we do the hearings, we do the meeting, and we fight in full swing.

**ANDREY LOSHAK:** [00:40:44] Why does the Russian Foreign Ministry stand up for some, but not for others?

**IGOR LITVAK:** [00:40:47] This is a good question. You know, I also sometimes noticed that they seem to show interest in some people more than in others. Why - I don't know. Maybe because the person doesn't ask. If you don't ask, no one will forcefully... You won't be helped. In general, I want to tell you that the Foreign Ministry - they help, they are good in this sense. I have a lot of clients from Russia, not just in Cyprus, on different, different, different matters. And if they ask for help, they travel, they observe, they come to prisons. They will, like, solve some problems, these domestic problems and everything else. So in this sense, they are great.

**ANDREY LOSHAK:** [00:41:33] Have you seen any evidence of cooperation between Russian hackers and the state?

**IGOR LITVAK:** [00:41:41] So that I am told directly, by the client, let's say: I worked for Russian special services, I did not have this. I was suspicious. You hear something, you see something in the database. I was suspicious, but nobody told me directly.

**ANDREY LOSHAK:** [00:41:58] What kind of suspicion? Without names, you can tell us something that indicated it.

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**IGOR LITVAK:** [00:42:03] Indicated? Well, it's like the evidence that America gathered, the American special services gathered, correspondence, there, if people, say, were studying in a military school, there is something like that, or, there, at the FSB school, well, you hear such things. But again, in such a way that the client tells me directly: I, like, work for the FSB or for the GRU - I have never had this.

**ANDREY LOSHAK:** [00:42:26] What do you think? Does this cooperation exist in reality?

**IGOR LITVAK:** [00:42:30] I think.

**ANDREY LOSHAK:** [00:42:31] The cooperation of criminal hackers such as black hat hackers and special services.

**IGOR LITVAK:** [00:42:36] I think yes. I think yes. Personal clients like my own to tell me that I was involved in this, I didn't have this. But I talked to other people. In this field... people know me, I communicate. People who have already returned. And there are rumors, rumors. Again, I don't know how true this is, but there are rumors. And by the way, Americans are also 100% sure that these hackers are supported by Russian special services. But in such a way to have such information directly - I do not have it.

**ANDREY LOSHAK:** [00:43:12] Have you worked with Khorokhorin?

**IGOR LITVAK:** [00:43:15] With Bobby?

**ANDREY LOSHAK:** [00:43:15] Yes.

**IGOR LITVAK:** [00:43:15] I was not his lawyer, but I'm on good terms with him.

**ANDREY LOSHAK:** [00:43:20] Just communicating?

**IGOR LITVAK:** [00:43:21] We still communicate, yes. But I wasn't his lawyer.

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**ANDREY LOSHAK:** [00:43:24] Can you tell us about Volodya Drinkman? Just like a client, maybe without the details of the case. Overall, what kind of person, how ...how does he stand out from many others Russian hackers you have worked with?

**IGOR LITVAK:** [00:43:37] Well, firstly, he is very talented in the IT field. A lot of people called hackers aren't really hackers. They may have had cybercrime articles there, with credit cards. But traditionally, a hacker is a person who is intruding into a private network. And Vladimir Drinkman was very talented in it. And he is considered, probably, one of the best in the world. At least at the time he was arrested, he was probably one of the best in the world to do it.

**ANDREY LOSHAK:** [00:44:15] In the world?

**IGOR LITVAK:** [00:44:16] One of the most. I don't say the best, but one of the best, like, top people who know it best. So he's a very smart guy. By the way, from my neck of the woods. I'm from Vorkuta, and he's from Syktyvkar. So, we lived not so far from each other. I actually came to America in 1993, and he a little later.

**ANDREY LOSHAK:** [00:44:39] And in different ways.

**IGOR LITVAK:** [00:44:41] And in different ways, yes. But he's a very talented guy, a very smart guy. And hopefully he will soon come out and be able to adjust his life. His daughter lives in America, his wife is now there.

**ANDREY LOSHAK:** [00:44:56] Does he, for example, have a chance to get an offer from a U.S. company to stay or he will be extradited?

**IGOR LITVAK:** [00:45:06] No, no. See, anyone can get, get an offer. Question - if a person can legally stay in America? This is a little different. And since he has his daughter here, maybe he can stay based on this? We'll see when he comes out. So let's see what happens.

**ANDREY LOSHAK:** [00:45:31] How did he manage to pull out his wife and child?

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**IGOR LITVAK:** [00:45:36] I don't know, it was years ago. They came here before I started working with him. That's why I...

**ANDREY LOSHAK:** [00:15:44] He was probably already in prison.

**IGOR LITVAK:** [00:45:45] He was already here, yes.

**ANDREY LOSHAK:** [00:45:47] How's he dealing with it?

**IGOR LITVAK:** [00:45:48] He's dealing with it. He has less than two years left. I think, if I am not mistaken, he gets out on December the 22nd, I think. So, by the way, we are waiting for decisions regarding him. We too. I filed a similar petition to the one I filed for Roman. We filed a similar petition for Vladimir Drinkman. In the Federal Court of Justice of the State of New Jersey. We are now waiting for a decision that should come any day. And if he is released, it will, of course, be a big victory too. And let's see what's next.

**ANDREY LOSHAK:** [00:46:23] Regarding Roman. You started working with him at the time of the sentence, right?

**IGOR LITVAK:** [00:46:29] Before the sentence.

**ANDREY LOSHAK:** [00:46:31] How did he perceive the sentence? Tell me about some emotional things too, well, that is. An unprecedented term

**IGOR LITVAK:** [00:46:36] Well, I think the sentence, of course, is very terrible, 27 years. This is one of the longest, if not the longest, sentences that someone ever received for cybercrime. And, of course, the fact that the judge told them the sentence, and I did not really like how he yelled at him, that you know, you are guilty, like, you had to admit your guilt, and you did not admit it. But in general, he was given a terrible term, 27 years. Anyone, not just Roman, how can they react to such a term? I think any person would, of course, perceive it very badly.

**ANDREY LOSHAK:** [00:47:20] Well, can you tell me about the meeting with him? Yep, about what's coming after the sentence was announced. What did he say, how did he behave?

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**IGOR LITVAK:** [00:47:30] He was upset and we hope we can get him out of there much sooner than after 27 years.

**ANDREY LOSHAK:** [00:47:39] Does his father help him?

**IGOR LITVAK:** [00:47:40] Well, help him in what sense? That is, his father – he's there, he's here, like. Father's capabilities are limited in some way. I believe that everything he can do for Roman, he does.

**ANDREY LOSHAK:** [00:47:59] What about his wife? Did he have a wife?

**IGOR LITVAK:** [00:48:01] Roman, you mean? They, I think, I... I don't think they were scheduled, unless I am wrong. And I don't know exactly what's going on there. That's why it's hard for me to...

**ANDREY LOSHAK:** [00:48:14] But she's not here? Doesn't come to him,

**IGOR LITVAK:** [00:48:16] She's not here... He had one wife who I think came to the States afterwards, unless I am wrong. But when Roman was arrested, he had another girl who was with him in the Maldives. And...as I understand, he is still communicating with her, but I cannot say for sure.

**ANDREY LOSHAK:** [00:48:38] And children?

**IGOR LITVAK:** [00:48:39] And Roman ... This girl had a daughter, I think, from a previous relationship. She was not Roman's daughter. Roman, by the way, adopted her. And he took care of her. I know that this girl is very strongly pining for Roman. That's what I heard, at least.

**ANDREY LOSHAK:** [00:48:58] Can the hackers in Russia be exchanged to the American authorities at all? At what level is some cooperation between special services, between states going on?

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**IGOR LITVAK:** [00:49:10] You know, in the past 20 years, I don't know of a single hacker that has been exchanged. And so, if that happens in the future, I don't know, let's see. And the last exchange between Russia and America was that famous story with Anna Chapman 10 years ago. After that, I did not hear of any exchanges, and before that either, especially with hackers. So let's see what will happen in the future. As I said earlier, Americans are 99% confident that the exchange will happen. They are sure that Americans who were arrested in Russia were arrested only for this purpose. Whether they are right or not, time will show.

**ANDREY LOSHAK:** [00:49:56] A classic idiotic question. Tell me about interesting cases of your...in your practice related to Russian hackers. I know this is a question that is never answered.

**IGOR LITVAK:** [00:50:06] I can tell you an interesting case that is not... Not related to a hacker, it is related to drugs. It's funny, of course. At the same time, it's a sad story, like, such a sad story. I had one client, his name was Giovanni GUSMAN. He was arrested in Manhattan. He had 10 kilograms of cocaine according to the prosecutor's office. And in the same period, El Chapo Guzman was arrested in Mexico. Have you heard about this famous drug baron that was extradited to New York?

**ANDREY LOSHAK:** [00:50:41] Which some Hollywood star made a film about?

**IGOR LITVAK:** [00:50:44] Yes, yes. Yes. And they have the same last name, Gusman or Guzman. And the fact is that, although they have different courts, they are, in fact, close to each other, but not to me. When I went to my court, when I said that my client was Gusman, everyone got up and looked at me like you represent Guzman, El Chapo from Mexico? I'm like, no, guys. A little different, a smaller person. And for some reason, that's a pitiful story. The fact is, we've been fighting a lot for him to be released on bail. They didn't want to release him on bail. But in the end, we managed to get it. There was a big bail, he was released, they put a GPS bracelet on his leg. Somewhere six months pass. I receive a text message from one FBI agent on the same day. I just look at the bushes, bushes, land, bushes, and in the bushes there's a GPS. I can't understand what it is. An agent tells me: your client removed his GPS and took off. He just took off the GPS, threw it away and disappeared. And for two years, they searched for him; two

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weeks ago they found his body in Mexico. So on the one hand, this is such an interesting story. But also, like, a cautionary tale, don't get involved with drugs.

**ANDREY LOSHAK:** [00:52:09] About Russian hackers. In general, can you say the approximate number of them, how many there were? Are there 10, 20, 30?

**IGOR LITVAK:** [00:52:17] Do I have? Customers?

**ANDREY LOSHAK:** [00:52:19] Yes. I mean specifically Russian-speaking hackers.

**IGOR LITVAK:** [00:52:21] Well, I mean not only with Russia, like, with the CIS?

**ANDREY LOSHAK:** [00:52:24] Yes, CIS. Well, let's say so.

**IGOR LITVAK:** [00:52:27] I... And these are not only those that were directly my clients, but those that I worked with as part of a team of lawyers. Well, probably 20-25, something like that.

**ANDREY LOSHAK:** [00:52:37] That is, there are a lot of them really?

**IGOR LITVAK:** [00:52:39] There are a lot of them, but they catch a drop, a drop in the ocean. I'm speaking seriously. There are very many of them and very few are arrested. Therefore, the chances of what exactly you are arrested are measly, very measly indeed. Because there are tens of thousands of people who do these things. And they arrest there, maybe five per year.

**ANDREY LOSHAK:** [00:53:03] How are crimes changing now? Cybercrimes. Do you see it?

**IGOR LITVAK:** [00:53:08] Yes, yes, yes. You know...

**ANDREY LOSHAK:** [00:53:10] Is there an evolution? From what to what?

**IGOR LITVAK:** [00:53:12] In the 2000s it was carding. It was carding.

**ANDREY LOSHAK:** [00:53:15] How are our friends doing? In general, right?

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**IGOR LITVAK:** [00:53:17] Yes, it was carding, it was a very big topic. Carding, when people seem to infiltrate different stores, businesses. They downloaded the credit cards and then printed the credit cards there in the basement or in the garage, put this information on the cards, then walked to the ATMs and pulled out the cash. This is what was in the 2000s. A very big topic it was. Then in the 10s, it started to change a little. As early as the 10s, we see more bots. Ransomware. Especially the last five years. A very big topic of ransomware that Americans... It just drives them up the wall.

**ANDREY LOSHAK:** [00:54:02] Computerized extortion?

**IGOR LITVAK:** [00:54:03] Yes, this is when they put some kind of malware or some kind of software on your computer that blocks everything. You can't, like, go in, and you're told to send me, let's say, 10 bitcoins or 20 bitcoins, and I'll give you, like, a way to open it all afterwards. And now it's, like, an epidemic in America, especially the last few years. Hospitals suffer a lot from this. Small schools, businesses. That's why it's changing. Now a new topic, the newest topic. This is the Methbot [PH]. I don't know if you've ever heard it or not? Now one guy, by the way, my former client, he then... He ran out of money, he left me, he was given free... He was given a free state defense lawyer, but he now has... He is now in Brooklyn, in the detention center. And at the end right now, at the end of April, he starts a jury trial and is accused of creating Methbot's batt. It's like a new term that no one has used before. But Methbot is like a browser or something. That is, according to the prosecutor's office, what was the meaning, what would this whole idea look like? Look, you know, on Facebook, right? When you open Facebook, watch a video about cats, say a video lasting one minute. And there, say, in the middle of this video, ads are turned on for 15 seconds. You know this, right?

**ANDREY LOSHAK:** [00:55:41] Well, yes.

**IGOR LITVAK:** [00:55:41] You've seen it all. And Facebook, like, works with advertisers who, like, do all of this. And Facebook gets the money. There, however it's called, like 1,000 views. For every 1,000 views, they get some certain amount of money. But how are these views defined? There is a browser when a person logs in to a browser, logs in to this Facebook, watches this video - this browser sends to Facebook, like a report, that there was a view and

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everything else. So, Matt Bath is a browser that, according to the prosecutor's office, was created, like, emulates views. What does this mean? You know what it means to emulate, right? Let's say a man sits at a computer, on Chrome, does it, reads the New York Times, and he has Methbot on his background turned on, whose browser he doesn't even see, he goes to Facebook and other kinds of advertising sites. Includes this ... No one watches this ad.

**ANDREY LOSHAK:** [00:56:55] But the advertisers are happy and think so.

**IGOR LITVAK:** [00:56:58] Advertisers are happy. They think people are looking. In fact, no one looks. And advertisers lose a lot of money. And now, at the end of April, Alexander Zhukov will have a jury trial which he goes to. And we, me, and the people who are interested in this jury trial will follow it. And of course, it's going to be interesting to see how it's going to end.

**ANDREY LOSHAK:** [00:57:22] Was he detained in Bulgaria?

**IGOR LITVAK:** [00:57:24] In Bulgaria, yes-yes. This is him. This is in Bulgaria.

**ANDREY LOSHAK:** [00:57:27] It was something he came up with himself, completely new.

**IGOR LITVAK:** [00:57:31] I don't say he's guilty or innocent.

**ANDREY LOSHAK:** [00:57:34] I mean, it's interesting. According to the American Prosecutor's Office.

**IGOR LITVAK:** [00:57:37] According to the prosecutor's office, this is what they say. What will be proved at jury trial, time will show.

**ANDREY LOSHAK:** [00:57:44] Well, interesting, yes. I did not contact this Zhukov, honestly, because we had already started to drown in the amount of everything.

**IGOR LITVAK:** [00:57:51] All the material.

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**ANDREY LOSHAK:** [00:57:52] Material. I understand that... I understand that he was willing to speak on the phone?

**IGOR LITVAK:** [00:57:56] I think so, yes.

**ANDREY LOSHAK:** [00:57:57] So why does he need this before the jury trial?

**IGOR LITVAK:** [00:58:00] He should be asked. No idea.

**ANDREY LOSHAK:** [00:58:02] Well, I mean, again, we are not being recorded, like. What, could he get a response at all? Usually, people are afraid of the jury, of the court.

**IGOR LITVAK:** [00:58:09] Maybe some kind of publicity, I don't know? He doesn't tell me that. Him again, I represented him, he was running out of money, he now has his free lawyer from the state, and he works with him.

**ANDREY LOSHAK:** [00:58:20] That is, he is currently in trouble. The situation isn't easy, right?

**IGOR LITVAK:** [00:58:23] Yes, yes. If he loses this jury trial, if he loses it, he faces a serious amount of time in prison.

**ANDREY LOSHAK:** [00:58:30] How much do they want?

**IGOR LITVAK:** [00:58:31] I don't know, but he can get up to 20, up to 20. Up to 20.

**ADVERTISING:** [00:58:36] These are the People of the PRO. Let me tell you about 1000 diagrams. Multiply by twenty. This is our manual. I was there for a long time, it sounds familiar. Now I'm sitting in front of you. These are the People of the PRO. It's our manual which tells how someone decides to earn. These are the People of the PRO. Only your and my life experiences. These are the People of the PRO. These are the People of the PRO, these are the People of the PRO, these are the People of the PRO. These are the People of the PRO [5 more repetitions].

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**HACKERS: THE BEGINNING”**

**King and Spalding LLP**

**June 03, 2022**

**Transcript by TransPerfect**

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